

Connecticut Motorcycle Riders Association

Opposition to House Bill 7140

February 25, 2019

The Connecticut Motorcycle Riders Association (CMRA) appears today to express its opposition to that segment of House Bill 7140 requiring the use of helmets by adult motorcycle operators and passengers. Over the forty two years of debate on this issue, mandatory helmet laws have not been proven to result in lower fatality rates or reduced incidences of injury when states with and without the mandate are compared. We believe the emphasis should be in measures seeking accident avoidance, not injury mitigation. Rider education of CT motorcyclists has produced significant improvements since enactment in 1982 resulting in significant reductions of both fatalities and injuries sustained in motorcycle crashes. All of this has been accomplished while continuing to allow adult motorcycle riders to choose whether or not to wear a helmet in Connecticut.

The CMRA has been in the forefront of every motorcycle safety initiative enacted in our state and strongly encourages motorcyclists to ride responsibly. We do not oppose or dissuade the use of a motorcycle helmet. We recognize that motorcycle safety requires a comprehensive approach that most helmet law proponents ignore. We believe there are other less intrusive and more substantive measures available to promote motorcycle safety than the one embodied in HB 7140.

In response to legislative concerns regarding motorcycle safety raised back in the 1980's, CMRA volunteers worked with the Connecticut General Assembly to address the problem. We worked with CT DOT and CT DMV and advocated for the creation of the Connecticut Rider Training Course, now known as Connecticut Rider Education Program (CONREP). Connecticut was one of the first states to do so and became nationally recognized for its excellence under its former administrator, Mr. Ray Gaulin. Since the program was established in 1982 we have assisted in expanding and improving the program, worked towards the adoption of a more stringent and demanding licensing test for new motorcycle class 'M' endorsement applicants, engaged and encouraged State and private groups in motorcycle safety public information programs, and mandated insurance discounts to raise participation in CONREP motorcycle safety courses. In 2011, we broke with virtually all other motorcycle rights organizations and withheld opposition to the proposal to require successful completion of the course as a prerequisite to obtaining the motorcycle endorsement on one's license.

In 2012 we initiated discussions for the need to accommodate trikes (three wheeled motorcycles) with respect to licensing and successfully worked with DMV and DOT to establish the trike only agreeable endorsement and training program. We continue to work on collaborative motorcyclist awareness programs within and outside the motorcycling community seeking to reduce the incidence of intoxicated riding. Our volunteers have been involved in the Strategic Highway Safety Planning program (SHSP) involving mutual efforts to reduce fatalities for all road users. The motorcycle emphasis area within the SHSP program has already been notably addressed by new road designs including changes in newly constructed barriers, traffic signal sensors, roundabout safety and more.

The efforts have worked and continue to work.

The proponents of helmet laws base their argument primarily on the premise that such a law will reduce the rate of fatalities and the severity of injuries sustained by riders involved in a crash. They portray injured motorcyclists as a “social burden” with the costs to treat such injured motorcyclists being borne by society at large. To support their argument, the proponents offer various studies. Most of those studies advance conclusions that support the proponent’s argument. However, it is important to recognize that none of the proponents’ studies, nor our own data, constitute “scientific evidence”. Correlation analysis is not scientific evidence, it establishes only possible connections between two variables. Unless and until all variables are isolated and controlled, one cannot conclude with a reasonable level of confidence that there exists a “cause and effect” between helmet use and the rates of fatality and injury in a motorcycle crash. We believe there are serious and unanswered inconsistencies between the conclusions advanced by most of the studies and the actual results evidenced in motorcycle statistics compiled over the forty two years since the CT motorcycle helmet law was repealed.

Currently 31 states in the nation permit adults the freedom of choice in helmet use. We continue to work with the Connecticut General Assembly, CONREP, CT DOT, and CT DMV to address motorcycle crashes, injuries and fatalities as we have since the 1980’s. Adults, other than those riding on a permit, continue to choose when, where, and if they need or want to wear a helmet. We continue to monitor CT DOT statistics here in our state and the fact remains that despite no adult helmet law, the cumulative reductions in motorcycle fatalities and injuries has been substantial.

If helmet laws are the lifesavers that proponents and their studies claim them to be, then why would those states with helmet laws not exhibit substantially lower levels/percentages of fatalities? With respect to injuries, CT DOT statistics indicate a significant decline in the most serious injuries as measured from the enactment of the Rider Education Program in 1982. In our attached data summary, you will note a decline in motorcycle accidents in which an injury is sustained from 3,107 in 1982, the year in which the program became effective, to 759 in 2018. Furthermore, the decline in motorcycle accidents in which the most serious injuries are sustained declined from 1,068 in 1982 to 167 in 2018 while motorcycle registrations have actually increased during those thirty six years.

Despite appearances to the contrary, not all studies and not all medical professionals advocate the adoption or effectiveness of mandatory helmet use laws. Not all professionals support the theory that injured motorcyclists constitute a “unique social burden”. Excerpts from a 1992 study by the University of North Carolina’s Highway Safety Research Center includes the following:

1. Motorcyclists admitted to trauma centers for treatment of crash related injuries were just as likely as other road trauma cases to be medically insured, and considerably better insured than non-road, cases.
2. Motorcyclists had the highest insurance payment rate of all groups.
3. Motorcyclists relied on Medicare and Medicaid considerably less than any other groups.
4. Motorcyclists had a higher rate of self-pay than any other group.
5. Motorcyclists’ average medical costs were less than other road trauma cases.

Attached is a copy of a transcript of testimony presented to the Transportation Committee by Medical Doctor Alexander R. Mackenzie opposing the adoption of a mandatory helmet law in Connecticut back in 1983. Doctor Mackenzie disagreed vociferously with his medical colleagues over the efficacy of motorcycle helmets. While we do not advocate wearing or not wearing a helmet, we present this transcript to remind you that there has been a difference of opinion even among medical professionals on this issue.

We believe we have presented credible testimony and evidence creating a reasonable doubt over the arguments advanced in support of HB 7140. However, the real issue in deciding whether to require adults to wear a motorcycle helmet lies in a philosophical one: where do we draw the line between the benevolent desires of the government and the free will of its citizens? The respect for personal liberties and the rights of the individual are the basis upon which our country and society have flourished. Mandatory helmet legislation and similar type measures represent a significant departure from this philosophy of governing and are advanced by interest groups that continue to test the limits of public acceptance of trading individual discretion for the so-called public good. We as motorcyclists do not want, nor do we deserve, to have our freedom of choice taken from us. In the absence of clear, compelling and indisputable evidence that motorcyclists present a unique social burden, that substantial costs are involved, and that a mandatory helmet law is the only solution, you should not, in good conscience, take that freedom of choice away from us. The evidence presented to date does not meet that standard. We have worked long and hard to live up to the commitment we made to the Legislature back in the early 1980's to help improve motorcycle safety in our State and working together, we have achieved substantial success. This issue is not about safety. It is about being singled-out. If we are to mandate helmet use for this small segment of road users and taxpayers, then you must be prepared to be consistent and outlaw the use of tobacco products, regulate diet and regulate alcohol consumption. The Legislature governs with the consent of the governed and motorcycle riders want to retain our ability to make our own choice as adults. It is a matter of principle.

There is a good reason why 31 states continue to reject helmet laws. There is good reason why Connecticut should continue to allow adult motorcycle riders to exercise their own free will with respect to helmet use. Please vote to remove the mandatory helmet use provision from raised House Bill 7140. Thank you.

Respectfully submitted,

Richard Paukner
CMRA Legislative Committee Acting Chairman
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